Reply of Government.—The existing law is sufficient and the Chief Court has issued a circular explaining its scope. If the subordinate Courts do not act in accordance with the provisions of the law, let the matter be taken up to the Chief Court.

SUBJECT No. 21.

Extending the provisions of the Breach of Contract Act to "Jitagars."

Messrs. Lakshminarasimhachar, Chamrajnagar, and S. Sitaramaiya, Shimoga Municipality.

Summary of discussion.—The provisions of the Breach of Contract Act at present extend only to labourers working in coffee estates. Its provisions may, it is prayed, be amended so as to bring the agricultural labourers (known in this country as "Jitagars") also under its purview.

Reply of Government.—The Act applies generally to all artificers, workmen and labourers who have received advances and refuse to work. If any Court refuses to enforce its provisions in cases other than those between coffee planters and their coolies, let the matter be taken up to the Chief Court.

The *scope* of the Act cannot however be extended.

SUBJECT No. 22.

Amendment of Section 248 of the Civil Procedure Code.

Mr. Tirumal Rao.

Summary of discussion.—The provisions of Section 248 of the Civil Procedure Code, requiring a notice to be issued to a party against whom execution of a decree is applied for, give much scope for him to dispose of or remove his property with intent to obstruct the execution or to evade his arrest. It is therefore proposed that the notice may be made to issue along with the warrant of attachment or arrest, subject to the provisions contained in the Code for attachment before judgment.

Other members spoke against the proposal.

Reply of Government.—Not possible.

SUBJECT No. 23.

Amendment of the Land Revenue Code.

Messrs. Inamdar Madappa, Mysore Taluk; Raghavachar and Padmanna, Nanjangud Taluk; B. Kesavaiengar and Kesavadasaiengar, Belur.

Summary of discussion.—According to the Land Revenue Code (Section 54), the land revenue on Government occupied land is a paramount charge on the holding. But many judges doubt the applicability of that rule to inam lands. As the Chief Court has decided that the rent due to an Inamdar on an inam land is not a paramount charge on the holding, it is requested that the section of the Code may be so amended as to make it applicable to inam lands also in respect of arrears of kandayam due to an Inamdar up to twelve years.

Inamdars were hitherto under the impression that rent due to them was a charge on the land and that consequently the period of limitation was twelve years. But the recent decision of the Chief Court is that it is not a charge on the land. So unless they take steps against the tenant under Section 97 of the Land Revenue Code during the year for which the rent is due, they can enforce only the personal liability of the tenant and are likely to lose the rent. In

years of scarcity it is inconvenient to take steps under Section 97 during the year for which the rent is due. It is therefore prayed that the Land Revenue Code may be amended so as to make the rent a charge on the land.

Mr. Raghavachar presented a written representation signed by several inamdars.

Mr. Ramaswami Chetty spoke against any additional facilities being given to Inamdars.

Reply of Government.—It is recognised that inamdars do stand in need of some relief. The question of amending the Land Revenue Code so as to facilitate the recovery of arrears due to superior holders will be investigated.

SUBJECT No. 24.

Amendment of Stamp Regulation, II of 1900.

Mr. S. R. Balakrishna Rao, B.A., LL.B., Shimoga Municipality.

Summary of discussion.—Section 40 (*b*) enacts that a penalty of Rs. 5 or of ten times the proper duty or of the deficient portion thereof, should be levied. This is very hard. The Deputy Commissioner has no discretion in the matter when he thinks that a penalty of Rs. 5 is too small and the alternative penalty is too high. To obviate this difficulty the section may be amended by inserting the words "of a sum not exceeding" between "if he thinks fit" and "ten times the amount," etc. Section 37 of the old Act (I of 1879) gave such a discretion.

Section 35 (*a*) may also be amended as above suggested.

Reply of Government.—The point will be noted for needful action when the Stamp Regulation is next taken up for revision.

SUBJECT No. 25.

Power to recover arrears due to Agricultural Banks under Section 194 of the Land Revenue Code.

Mr. H. V. Bhima Rao, Malur Taluk.

Summary of discussion.—Agricultural Banks in the State were established with the benevolent object of ameliorating the condition of the poor agriculturists and thus saving them from the clutches of the relentless usurers. In spite of the stringent measures adopted by the Banks to enforce payments punctually, many of the members are in arrears, owing to causes beyond their control. Adoption of compulsory measures to recover the arrears through Civil Courts is very expensive. It is therefore desirable that the Bank authorities should be empowered to realize the arrears under Section 194 of the Land Revenue Code, as the capital advanced to the Banks is Government money.

Mr. Lakshminarasimhachar spoke against the proposal.

Reply of Government.—Cannot be done.

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SUBJECT No. 26.

A Judicial Committee in the Mysore Council.

Messrs. M. Hassan Ali Beg and A. Anniah Pandit.

Summary of discussion.—Appeals against the decision of the High Court can be made to the Judicial Committee of the Privy Council in London. A similar Committee may